

REMARKS

I. Introduction

Claims 14, 15, 17 to 24, and 26 to 28 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 14, 15, 17 to 24, And 26 to 28 Under 35 U.S.C. § 102(b)

Claims 14, 15, 17 to 24, and 26 to 28 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,684,742 ("White"). It is respectfully submitted that White does not anticipate the present claims for at least the following reasons.

As an initial matter, White does not constitute prior art against the present application under 35 U.S.C. § 102(b). In this regard, White issued on **February 3, 2004**, whereas the present application has an international filing date of **April 17, 2004**. Withdrawal of this rejection is therefore respectfully submitted. Notwithstanding the foregoing, it is respectfully submitted that White does not anticipate the present claims for the following additional reasons.

Claim 14 recites a method that includes, producing one of (a) first cutting paths and (b) ancillary cutting paths with a spherical cutter having a tool head radius corresponding to a tool shank radius, and producing second cutting paths for the cutting tool from the one of (a) the first cutting paths and (b) the ancillary cutting paths, and cutting freeform surfaces on a workpiece by a cutting tool to achieve a desired freeform surface, the cutting tool including a tool head and a tool shank, the tool head having a greater radius than the tool shank, the cutting including moving the cutting tool along at least one defined cutting path relative to the workpiece.

White describes a tool for shaping surfaces where at least one portion of the silhouette of the cutting edge is curved and has a radius of curvature larger than the radius of the tool itself, whereby the silhouette of the cutting tool has a constant radius of curvature, or a changing radius of curvature.

Nowhere, does White disclose, or even suggest, the features of producing one of (a) first cutting paths and (b) ancillary cutting paths with a spherical cutter having a tool head radius corresponding to a tool shank radius, and producing

second cutting paths for the cutting tool from the one of (a) the first cutting paths and (b) the ancillary cutting paths.

The Office Action, on page 2, merely asserts that White “discloses all of the subject matter set forth in the claims and the method as presented”, but fails to provide any support for this conclusory assertion.¹ The only citation provided by the Office Action is to claims 5 and 6 of White. However, claims 5 and 6 fail to disclose, or even suggest, all of the features included in claims 17 to 22 of the present application.

As such, it is respectfully submitted that White does not disclose, or even suggest, all of the features included in claim 14. Consequently, it is respectfully submitted that White does not anticipate claim 14, or claims 15 and 17 to 22, which depend from claim 14.

Claim 23 recites that a cutting tool, for cutting freeform surfaces on a workpiece, includes a tool shank, and a tool head, wherein a radius of the tool head is greater than a radius of the tool shank and smaller than a smallest radius of curvature of the freeform surface.

Nowhere, does White disclose, or even suggest, that a radius of the tool head is **smaller than a smallest radius of curvature of the freeform surface**. White merely discusses radius of curvature with respect to the **tool** itself, not the **freeform surface**. It is, therefore, respectfully submitted that White does not disclose, or even suggest, all of the features included in claim 23. Consequently, it is respectfully submitted that White does not anticipate claim 23, or claims 24 to 26, which depend from claim 23.

Claim 27 recites that a method includes manufacturing a rotationally symmetric component by cutting a workpiece with a cutting tool, the cutting tool including a tool shank and a tool head, a radius of the tool head greater than a radius of the tool shank and smaller than a smallest radius of curvature of the freeform surface.

As mentioned above with respect to claim 23, White does not disclose, or even suggest, that a radius of the tool head is smaller than a smallest radius of

¹ Thus, the Office Action fails to comply with the requirements of 37 C.F.R. § 1.104(a)(2), which provides that “[t]he reasons for any adverse action or any objection or requirement **will** be stated in an Office Action and such information or references **will** be given as may be useful in aiding the applicant . . . to judge the propriety of continuing the prosecution” (emphasis added).

curvature of the freeform surface. It is, therefore, respectfully submitted that White does not disclose, or even suggest, all of the features included in claim 27. Consequently, it is respectfully submitted that White does not anticipate claim 27, or claim 28, which depends from claim 27.

Further with respect to claims 24 and 28, the Office Action's reference to an intended use is not -- and cannot be -- understood. In this regard, claim 24 recites that "the cutting tool is arranged as a five-axis cutting tool"; and claim 28 recites that "the rotationally symmetric component includes one of (a) a disk-shaped component, (b) a ring-shaped component and (c) a rotor disk having integrated blading." It is entirely unclear what aspect of these claims is or might be considered a statement of intended use.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: October 9, 2009

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